

803 KAR 2:600. Occupational safety and health standards for agriculture.

RELATES TO: KRS 338.051, 338.061, 29 C.F.R. 1928

STATUTORY AUTHORITY: KRS 338.051(3), 338.061

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) requires the Kentucky Occupational Safety and Health Standards Board to promulgate occupational safety and health administrative regulations. 29 C.F.R. 1928.1 to 1928.1027 establishes the federal requirements relating to occupational safety and health standards for agriculture. This administrative regulation establishes the occupational safety and health standards for agriculture to be enforced by the Division of Occupational Safety and Health Compliance in the agriculture industry.

Section 1. (1) "Assistant secretary" means Secretary of the Labor Cabinet or the Commissioner of the Department of Workplace Standards, Labor Cabinet.

(2) "C.F.R." means Code of Federal Regulations.

(3) "Employee" is defined in KRS 338.015(2).

(4) "Employer" is defined in KRS 338.015(1).

(5) "U.S. Department of Labor" means Kentucky Labor Cabinet or U.S. Department of Labor.

Section 2. The agriculture industry shall comply with the following federal regulations published by the Office of the Federal Register, National Archives and Records Services, General Services Administration, except as modified by the definitions in Section 1 of this administrative regulation and requirements in Section 3 of this administrative regulation:

(1) 29 C.F.R. 1928.1 through 29 C.F.R. 1928.1027, and Appendices, revised July 1, 2010; and

(2) The amendment to 29 C.F.R. 1928.110 published in the June 8, 2011, Federal Register, Volume 76, Number 110.

Section 3. Scope and Application. (1) The language in subsection (2) of this section shall apply in addition to 29 C.F.R. 1928.1.

(2) The provisions of this administrative regulation adopt and extend the applicability of established federal standards contained in 29 C.F.R. Part 1928 to all employers, employees, and places of employment throughout the Commonwealth, except those excluded in KRS 338.021. (16 Ky.R. 721; eff. 12-15-89; Am. 20 Ky.R. 648; eff. 11-8-93; 21 Ky.R. 124; eff. 9-12-94; 2283; eff. 4-20-95; 23 Ky.R. 1748; eff. 1-9-97; 33 Ky.R. 1143; 1802; eff. 2-2-2007; TAm eff. 9-8-2011; 38 Ky.R. 122; eff. 10-7-11; TAm eff. 7-12-12.)